



U.S. Department of Justice

United States Attorney
Southern District of New York

The Jacob K. Javits Federal Building
26 Federal Plaza, 37th Floor
New York, New York 10278

January 9, 2025

BY ECF AND EMAIL

Hon. Richard J. Sullivan
United States Circuit Judge Sitting by Designation
Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Osvaldo Delahoz*, 15 Cr. 485 (RJS)

Dear Judge Sullivan:

The Government writes on behalf of both parties to respectfully request that the Court seal portions of Exhibit A, which is a transcript of an *ex parte* conference that the Court held on July 3, 2024, with the Government and prosecutors from the Office of the Special Narcotics Prosecutor for the City of New York. As discussed at the defendant's December 16, 2024 VOSR sentencing in this matter, the reasons supporting sealing of the *ex parte* conference transcript no longer exist, and the transcript should be unsealed. However, as also discussed at the defendant's December 16, 2024 VOSR sentencing, certain law enforcement concerns continue to justify the redaction of small portions of the transcript. *See United States v. Amodeo*, 71 F.3d 1044, 1050 (2d Cir. 1995) (instructing courts to balance presumption of public access to judicial documents against law enforcement concerns and judicial efficiency).

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The portions of the transcript which the parties seek to redact are:

- Page 6, lines 6 through 8;
- Page 15, line 23 through page 16, line 10;
- Page 22, lines 11 through 14; and
- Page 23, lines 4 through 6.

Respectfully Submitted,

EDWARD Y. KIM
Acting United States Attorney

by: 
Joseph H. Rosenberg
Lauren E. Phillips
Assistant United States Attorneys
(212) 637-2326/-2231

CC: All Counsel of Record (by ECF)
USPO Michael P. Nicholson (by email)

The government's request to seal the above-referenced portions of the July 3, 2024 *ex parte* conference transcript is GRANTED. After reviewing the unredacted transcript, the Court concludes that the presumption in favor of open records has been overcome by the need to protect law-enforcement interests by maintaining small portions of the transcript under seal. See *United States v. Amodio*, 71 F.3d 1044, 1048-51 (2d Cir. 1995). The Clerk of Court is respectfully directed to terminate the motion pending at Doc. No. 120.

SO ORDERED:

Dated: 1/13/25


RICHARD J. SULLIVAN
U.S.C.J., Sitting by Designation